

Practitioner's Docket No. MI22-2555

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Luan C. Tran

Application No.: 10/829,213 Group No.: 2814
Filed: April 22, 2004 Examiner: H. Weiss
For: "Method of Forming Integrated Circuitry"

Assistant Commissioner for Patents and Trademarks
P.O. Box 1450, Mail Stop 16, Alexandria VA 22313-1450
ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. RETURN OF REFUND REQUEST

This is a request for a refund, with respect to the debit to Deposit Account 23-0925, shown on the statement dated January 24, 2005 for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.
A copy of the Ex Post Declaration, Transmittal Form, check #145199, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND IS REQUESTED

	AMOUNT OF REFUND REQUESTED
Improper charge for Statutory Disclaimer	\$130.00
TOTAL REFUND REQUESTED	\$130.00

(Request for Debit (Improper Credit of Deposit Account)—page 1 of 2)

8 1/2 total pages

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

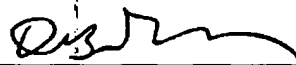
On January 5, 2005 we filed on Office Action Response to the September 21, 2004 communication from the PTO. Included with the office action response on January 5, 2005 we submitted payment by check # 145199 in the amount of \$130.00 for the Statutory Disclaimer.

Therefore, no additional fees are believed to be required. Please credit Deposit Account No. 23-0925 with the above fee amount.

IV. MANNER OF REFUND

Please Credit Account No. 23-0925.

Date: 1-24-05


D. Brent Kenady
Reg. No. 40,045
Wells St. John P.S.
601 West First Ave., Suite 1300
Spokane, WA 99201-3828
Tel. No.: (509) 624-4276
Customer No.: 021567

(Request for Debit (Improper Credit of Deposit Account)—page 2 of 2)

Deposit Account Statement #230925

Page 2 of 2

01/21 787 78550383	AM26-114	7001	\$670.00	\$9,966.00
01/21 821 78550399	AM26-113	7001	\$670.00	\$9,296.00
01/24 1 10829213	MI22-2555	1814	\$130.00	\$9,166.00
01/24 4 PAYMENT		9203	-\$6,000.00	\$15,166.00
01/24 411 78551866	GR61-101	7001	\$335.00	\$14,831.00
01/24 1514 78552501	GR61-102	7001	\$335.00	\$14,496.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$11,966.00	\$9,650.00	\$12,180.00	\$14,496.00

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EV372471682**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION SERIAL NO. 10/829,213
FILING DATE April 22, 2004
INVENTORSHIP Luan C. Tran et al.
ASSIGNEE Micron Technology, Inc.
GROUP ART UNIT 2814
EXAMINER H. Weiss
ATTORNEY'S DOCKET NO. MI22-2555
CUSTOMER NO. 021567

TITLE: A Method of Forming Integrated Circuitry (As amended)**EX POST DECLARATION OF EXPRESS MAILING**

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EL 372471682 USDate of Deposit: January 5, 2005Time of Deposit: 1:24AM/PMDeposited By: ☒ Delivery to Postal Employee

Addressee: Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Place of Deposit:

☐ U.S. Post Office (Paulsen Bldg. Br.)
421 West Riverside, Room 201
Spokane, Washington 99201
Last Scheduled Drop Box Pickup: 4:40 pm

☐ U.S. Post Office (Terminal Annex)
703 East Trent
Spokane, Washington 99202
Last Scheduled Drop Box Pickup: 9:30 pm

☒ U.S. Post Office (Riverside Station)
904 West Riverside
Spokane, Washington 99201
Last Scheduled Drop Box Pickup: 5:00 pm

☐ U.S. Post Office _____ Branch
Last Scheduled Drop Box Pickup: ____ am/pm

Listing Of Items Enclosed In Mailing:

1. Return Receipt Postcard.
2. A \$130.00 check (Terminal Disclaimer) and a \$120.00 check (Petition for Extension).
3. Transmittal and Fee Transmittal - in duplicate.
4. Petition for Extension.
5. Response to September 21, 2004 Office Action.
6. Terminal Disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

Dated this 5th day of January, 2005, at Spokane, Washington.

Jim Tidrick

DBK/ra

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		EXPRESS MAIL UNITED STATES POSTAL SERVICE®		Customer Copy Label 3-7 June 2002
POSTAL USE ONLY Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/> Third		Post Office To Addressee Delivery Attempt No. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature		
Postage \$ 13.65 Return Receipt Fee COD Fee Insurance Fee		Delivery Attempt No. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature		
No Delivery Acceptance/Check/Invoice Total Postage & Fees \$ 13.65		Delivery Attempt No. Day Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature		
FROM: (Origin) WELLS ST. JOHN P.S. 601 W 1ST AVE STE 1300 SPOKANE WA 99201-3828		TO: (Addressee) Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 DBK/.rts MI22-2555		

FOR PICKUP OR TRACKING CALL 1-800-222-1611 www.usps.com
 and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

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E 372471682

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/829,213	
	Filing Date	April 22, 2004	
	First Named Inventor	Luan C. Tran	
	Art Unit	2814	
	Examiner Name	H. Weiss	
Total Number of Pages in This Submission	23	Attorney Docket Number	MI22-2555

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks Charge any additional fees required under 47 CFR 1.16 and 1.17 and credit overages to 23-0925.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Wells St John P.S. - Customer No. 021687	
Signature		
Printed name	D. Brent Kennedy	
Date	January 5, 2005	Reg. No. 40,045

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	VIA EXPRESS MAIL EV 372471682 US
Typed or printed name	Date 01/05/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to be 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Fee only
EV372471682

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Filing Date April 22, 2004
Inventor Luan C. Tran et al.
Assignee Micron Technology, Inc.
Group Art Unit 2814
Examiner H. Weiss
Attorney's Docket No. MI22-2555
Title: A Method of Forming Integrated Circuitry (As amended)

TERMINAL DISCLAIMER

I, D. Brent Kenady, residing at Spokane, Washington, represent that I am the attorney of record for Micron Technology, Inc., a corporation of the state of Delaware. Micron Technology, Inc. is the owner of all right, title and interest of this U.S. Patent Application Serial No. 10/829,213, filed April 22, 2004, as evidenced by an assignment recorded April 23, 1997, at Reel 8777, Frames 0824-0828 in the U.S. Patent and Trademark Office.

Micron Technology, Inc. is also the owner of all right, title and interest in U.S. Patent No. 6,297,129 as evidenced by an assignment recorded April 23, 1997, at Reel 8777, Frames 0824-0828, in the U.S. Patent and Trademark Office.

The evidentiary documents have been reviewed, and I certify that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take

01/24/2005 LWISE1 00000001 230925 10829213
this action.
01 FC:1814 130.00 DA

Micron Technology, Inc. hereby disclaims the terminal part of any future patent granted on this U.S. Patent Application Serial No. 10/829,213 which

1

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Adjustment date: 03/14/2007 SDIRETA1
01/24/2005 LWISE1 00000001 230925 10829213
01 FC:1814 130.00 CR

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Micron Technology, Inc. hereby disclaims the terminal part of any future patent granted on this U.S. Patent Application Serial No. 10/829,213 which

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